

REMARKS

Applicants and the undersigned thank Examiner Dang for his careful review of this application. In response the Notice of Non-Responsive Office Action dated September 20, 2007, Applicants submit the following response. Because it does not appear that the Amendments to the specification, or the arguments presented therein, were entered, Applicants have resubmitted the same response, along with additional arguments to address the Examiner's specific concerns with the prior Response. Reconsideration of the present application in view of the following remarks is respectfully requested.

By the present communication, no claims have been amended. Thus, claims 1-59 are pending and under active prosecution in the present application.

Applicants and the undersigned gratefully acknowledge that claims 1-7, 23-32 and 45-59 have been indicated as allowable.

AMENDMENT TO SPECIFICATION

The Office Action objected to the Abstract, alleging the abstract does not include a concise statement of the technical disclosure of the invention. Applicants have amended the Abstract to describe the invention with greater particularity. Withdrawal of this objection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 102

Applicants respectfully traverse the rejection of claims 8, 9, 11, 12, 33, 34, 36, and 37 as allegedly being anticipated by Cook et al (U.S 2001/0047870; hereinafter "Cook") for at least the following reasons.

With respect to claims 8, 9, 11, 12, 33, 34, 36, and 37, the claims are drafted in means-plus-function claim language. For example, claims 8 and 33 require "means for hydroplaning the tubular member on the expansion cone."

Because the claims are drafted using "means plus function" claim language (see 35 U.S.C. §112, 6th paragraph), such language must be interpreted to read on only the structures or materials disclosed in the specification and "equivalents thereof" that

correspond to the recited function. See MPEP §2106. Put differently, when an element is claimed using language falling under the scope of 35 U.S.C. §112, 6th paragraph, the specification must be consulted to determine the structure, material, or acts corresponding to the function recited in the claim. MPEP § 2111.01, citing *In re Donaldson*, 16 F.3d 1189 (Fed. Cir. 1994). Thus, with respect to claims 8, 9, 11, 12, 33, 34, 36, and 37, the specification must be examined to determine what means are disclosed.

Claims 8 and 33 each recite "means for hydroplaning the tubular member on the expansion cone." The "means" disclosed in the present application include radial passages 18ca, 18cb, 18cc and 18cd in the expansion cone, as shown, for example, in Fig. 2a, and described at paragraph [0020]. The lubricant is conveyed into the annulus defined between the expansion cone 18 and the interior surfaces of the tubular member. (Emphasis added, see paragraph [0020]).

Cook does not disclose any such means. Instead, Cook merely discloses that "a quantity of lubricant 275 is provided in the annular region above the expandable mandrel 205 within the interior of the tubular member." (Emphasis added, see, Cook paragraphs [0064] and [0113]). Furthermore, Cook discloses no means for conveying the lubricant, instead merely stating the lubricant "is provided." Because Cook fails to disclose the means disclosed in the present application, rejection is improper. Thus, claims 8 and 33 are allowable for at least these reasons. Claims 9, 11, 12, 34, 36 and 37 are allowable as depending from allowable claims. Withdrawal of the rejection and allowance of the claims are respectfully requested.

OBJECTIONS

Applicants gratefully acknowledge that claims 10, 13-22, 35 and 38-44, while objected to as depending from a rejected base claim, have been indicated as allowable if amended to include all elements of the base claims. In view of the above arguments, Applicants will not amend the claims at this time.

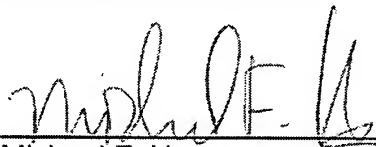
CONCLUSION

The foregoing is submitted as a full and complete Response to the Non-Final Office Communication mailed September 20, 2007. Applicants have made a diligent effort to advance the prosecution of the application by submitting arguments in support of the patentability of the claims and have made the required amendment to the specification. Applicants has not acquiesced to any rejection and reserve the right to address the patentability of any additional claim features in the future. In view of the above, reconsideration of the rejection and allowance of claims 1-59 is respectfully requested.

As the one-month statutory period for reply expires on October 20, 2007, this Response is therefore considered timely filed and no fees are believed to be due. However, should the Commissioner deem any fees as being due, including any fees for any extensions of time, the Commissioner is hereby authorized to debit said fees from, or to credit any overpayments to, USPTO Deposit Account Number 50-3786, Reference No. 14147.105090.

The Examiner is invited to contact the undersigned via telephone at the number listed below if a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,



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